

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2663 of 2025

Arising Out of PS. Case No.-2031 Year-2006 Thana- PURNIA COMPLAINT CASE District-
Purnia

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1. Jiwan Lal Das @ Jeevan Lal Sharma S/O Late Chamru Das @ Chamru Lal Sharma R/O Vill.- Semiya, P.S.- Baisi, Dist.- Purnia
 2. Sheela Devi W/O Jiwan Lal Das @ Jeevan Lal Sharma R/O Vill.- Semiya, P.S.- Baisi, Dist.- Purnia
 3. Robin Mistary @ Ravindra Kumar Das S/O Jiwan Lal Das @ Jeevan Lal Sharma R/O Vill.- Semiya, P.S.- Baisi, Dist.- Purnia
 4. Rajendra Sharma @ Rajendra Mistri S/O Late Mohi Lal Sharma @ Mohilal Mistri R/O Vill.- Dumariya, Ward no. 9, Parshadpur, Araria, P.T Dumraha, P.S.- Mahalgaon, Dist.- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Krityanand Thakur S/o Khokhoi Thakur Resident of Village- Sirinia, P.S.- Baisi (Dagarua) O.P., District-Purnia.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Smiti Bharti, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 09-05-2025 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with C.A. Case No. 2031 of 2006, registered under Sections 365, 452 and 380 of the Bhartiya Nyaya Sanhita.

3. Prosecution story is that the complainant, namely, Krityanand Thakur, alleged that on 05.05.2006 at about 11:00 P.M., while he was sleeping, in the meantime, all accused



persons unlawfully entered his house. Petitioner No.1 looted a briefcase containing jewellery and Rs.25,000/-. All the accused kidnapped complaint's wife. Petitioner No.3 and co-accused, Anuplal forcibly brought the complainant's wife into the courtyard.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have not committed any offence. Petitioners further submits that in regard to the offence alleged to have committed by the petitioners, the informant had earlier lodged F.I.R. bearing Baisi P.S. Case No. 72 of 2006 which resulted final form submitted by the police. Therefore, not satisfied with the outcome, the informant has filed this complaint case against the petitioners lodging that the petitioners had kidnapped his wife. The wife of the informant namely, Babita Devi @ Babita has herself deposed before the Court below in which she has categorically stated that the incident which is said to have happened and narrated in the compliant is all false and that she was never kidnapped by the petitioners. Petitioners further submits that the petitioners have clean antecedent.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for anticipatory bail.



6. Considering the facts and circumstances of the present case and particularly the fact that the victim wife was never kidnapped by the petitioners, this Court is inclined to grant privilege of anticipatory bail to the petitioners.

7. Let the petitioners, named above, in the event of their arrest or surrender before the Court below within four weeks from today, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five thousand) each with two sureties of the like each amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Purnea, in connection with C.A. Case No. 2031 of 2006, subject to the condition laid down under Section 482(2) of BNSS.

(Alok Kumar Sinha, J)

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